

IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANT:

Yaochu Jin et al.

APPLICATION NO.:

10/007,734

FILING DATE:

November 9, 2001

TITLE:

APPROXIMATE FITNESS FUNCTIONS

EXAMINER:

Unassigned

COPY OF PAPERS
ORIGINALLY FILED

GROUP ART UNIT:

2122

ATTY. DKT. NO.:

6445

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box Missing Parts, Commissioner For Patents, Washington) DC 20231, on the date shown below:

Dated:

13 March 2002

By:

John T. McNelis, Reg. No.: 37,186

BOX MISSING PARTS COMMISSIONER FOR PATENTS WASHINGTON, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

SIR:

Responsive to the Notice to File Missing Parts dated January 14, 2002 received in the above-identified patent application,

🛛 Enc	losed	are:
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\boxtimes	a copy	of the	Notice to	o File	Missing	Parts;
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⋈ an original, signed Declaration;

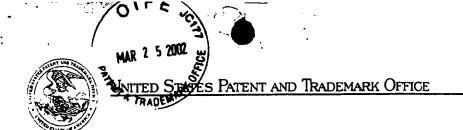
□ an original, signed Power of Attorney;

□ an Application Data Sheet;

payment in the amount of \$130.00 for the

application filing fee;

☐ fee for additional	claims; and
	charge.
☐ Other	
☐ Applicant claims small entity sta	tus under 37 C.F.R. § 1.27.
	Respectfully submitted, YAOCHU JIN
Dated: 13 MarcL 2002	By: John T. McNelis, Reg. No.: 37,186 Fenwick & West LLP Two Palo Alto Square Palo Alto, CA 94306 Tel.: 650-858-7133 Fax: 650-494-1417



COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 2023I
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APPLICATION NUMBER

FILING/RECEIPT DATE

FIRST NAMED APPLICANT

ATTORNEY DOCKET NUMBER

10/007,734

11/09/2001

Yaochu Jin

6446

CONFIRMATION NO. 4963

00758 FENWICK & WEST LLP TWO PALO ALTO SQUARE PALO ALTO, CA 94306

COPY OF PAPERS ORIGINALLY FILED FORMALITIES LETTER

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Date Mailed: 01/14/2002

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(I) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

A copy of this notice MUST be returned with the reply.

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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IN THE UNITED STATES

PATENT AND TRADEMARK OFFICE

APPLICANTS:

Yaochu Jin and Bernhard Sendhoff

APPLICATION NO.:

10/007,734

FILING DATE:

November 9, 2001

TITLE:

Approximate Fitness Functions

COPY OF PAPERS ORIGINALLY FILED

EXAMINER:

not yet known

GROUP ART UNIT:

2122

ATTY. DKT. NO.:

6445

CERTIFICATE OF MAILING

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Washington, D.C. 20231, on the date shown below:

Dated:

13 MARCL 2002

By:

John T. McNelis, Reg. No.: 37,186

COMMISSIONER FOR PATENTS
OFFICE OF INITIAL PATENT EXAMINATION
CUSTOMER SERVICE CENTER
WASHINGTON, DC. 20231

REQUEST FOR CORRECTED FILING RECEIPT

SIR:

Enclosed is a copy of the Official Filing Receipt. It contains the following error:

1. The attorney docket number is erroneously stated as 6446. The correct attorney docket number is 6445, as evidenced by the New Utility Patent Application Transmittal, a copy of which is enclosed.

Please issue a corrected Filing Receipt rectifying this error.

Respectfully submitted, YAOCHU JIN, BERNHARD SENDHOFF

Dated: 13 March 2002

John T. McNelis, Reg. No.: 37,186

Fenwick & West LLP Two Palo Alto Square Palo Alto, CA 94306 Tel.: (650) 858-7133

Fax.: (650) 494-1417

23077/06445/DOCS/1243053.1

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Dated:

13 MARCL 2002

MY #

PTO/SB/21 (modified) Approved for use through xx/xx/xx, OMB 0651-0031 Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE RADEN W.S. Department of Commerce 10/007,734 **Application Number** Rev. 10/95 Patent and Trademark Office Filing Date November 9, 2001 TRANSMITTAL FORM First Named Inventor Yaochu Jin (to be used for all correspondence during pendency of **Group Art Unit Number** 2122 filed application) Unassigned **Examiner Name** 6445 Total Number of Pages in This Submission 14 Attorney Docket Number **ENCLOSURES** (check all that apply) Fee Transmittal Form (in duplicate) Issue Fee Transmittal Check Enclosed 冈 Letter to Chief Draftsperson Return Receipt Postcard Formal Drawing(s): Response to Notice to File Missing Parts [] Sheet(s) of Figure(s) [] Appeal Communication to Board of Appeals and **Assignment & Recordation Cover Sheet** Interferences Declaration Appeal Communication to Group Power of Attorney (Appeal Notice, Brief, Reply Brief) **Application Data Sheet** Information Disclosure Statement & PTO-1449 Certified Copy of Priority Document(s) Copies of IDS Cited References After Allowance Communication to Group Request for Corrected Filing Receipt Request for Correction of Recorded Assignment Amendment/Response: [] Page(s) After Final Status Request Revocation and Substitute Power of Attorney **REMARKS:** SIGNATURE OF ATTORNEY OR AGENT Signature: John Ti McNelis, Reg. No. 37,186 Dated: Attomey/Reg. No.: **CERTIFICATE OF MAILING** I hereby certify that this correspondence, including the enclosures identified above, is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date shown below. If the Express Mail Mailing Number is filled in below, then this correspondence is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service pursuant to 37 CFR 1.10. Signature:

Typed or Printed Name:

Express Mail Mailing Number (optional):

John T. McNelis

COPY OF PAPERS

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PTO/SB/17 (10-01)(modified)
OMB 0651-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE U.S. Department of Commerce 0002/PTO(modified) Complete if Known Rev. 10/2001 Application Number 10/007,734 Filing Date November 9, 2001 **FEE TRANSMITTAL** First Named Inventor Yaochu Jin Group Art Unit 2122 TOTAL AMOUNT OF PAYMENT **Examiner Name** Unassigned Subtotal (1) + Subtotal (2) + Subtotal (3) = (\$) 130 00 Attorney Docket Number 6445

METHOD OF PAYMENT FEE CALCULATION (continued)									
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2. CLAIMS	<u> </u>			146/ \$740	246/ \$370	Filing a sul (37 CFR 1	bmission after fina .129(a))	ii rejection	
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Approved for use through 9/30/2001, OMB 0651-0032

PTO/SB/05 (08-00) (modified)	+

NEW UTILITY PATENT APPLICATION TRANSMITTAL (c) for new nonprovisional applications under 37 CPR 1.53(b)) Title APPROXIMATE FITNESS EVENTS APPLICATION ELEMENTS APPLICATION ELEMENTS ACCOMPANYING APPLICATION PARTS ACCOMPANYING PARTS ACCOMPANYING APPLICATION PARTS ACCOMPAN			Pater	t and Trademark Off	ce: U.S. DEPA	RTMEN	NT OF COMMER
TRANSMITTAL (a) For new nonprovisional applications under 3 CFR 1.35(b)) TRANSMITTAL (b) Fee Transmittal Form (in duplicate) 1. See Transmittal Form (in duplicate) 2. Applicant claims small entity status. See 37 CFR 1.75 3. Specification 1. Cost Reference(s) Ne Related Case(s) 2. Cost Reference(s) Ne Related Case(s) 3. Specification 4. Cost Reference(s) Ne Related Case(s) 5. Statument Regarding Fed sponsored R & D 5. Background of the Invention 6. Statument Regarding Fed sponsored R & D 6. Background of the Invention 6. Cost Reference(s) Ne Related Case(s) 6. Cost Reference(s) Application of the Crawing(s) 7. Assignment Papers (cover sheet & document(s)) 8. Coeffied Copy of Priority Document(s) (if foreign prioring a claims of the Invention 9. Priority Papers (cover sheet & document(s)) 10. Total Pages 11 11. Preliminary Amendment 12. Information Disclosure Statement & PTO-1449 13. Copy (Sy) (Sy), Applicant must attach form PTO/58/35 or its equivalent 14. Return Postcard 15. Copy from a prior application (37 CFR 1.63(d)) (for continuation-twistensi with Bos 18 campleted) 1. DELETION OF INVENTOR(s) 13. Signed statement attached deleting Inventor(s) 14. Return Postcard 15. Signed statement attached deleting Inventor(s) 16. Application Data Sheet. See 37 CFR 1.76 17. Box Petent Application 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite intermation below and in a preliminary amendment or in Application Data Sheet under 37 CFR 1.78. 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite intermation below and in a preliminary amendment or in Application Data Sheet under 37 CFR 1.78. 19. CORRESPONDENCE ADDRESS Name (PriorIType) John T. McNejks Name (PriorIType) John T. McNejks Name (PriorIType) John T. McNejks	E NE	W UTILITY	Attorne	y Docket Number	eus 🚦		
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2. Applicant claims small entity status. See 37 CFR 1.27 3. Specification Total Pages 24 (preferred arrangement set forth below) Descriptive Title of the Invention Scross Reference(s) to Related Case(s) Statement Regarding Fed sponsored R & D Background of the Invention Brief Summary of the Invention Claim or Claims Abstract of the Disclosure 4. Drawing(s) (35 U.S.C. Total Sheets 6 13) Total Pages 1 1 Executed (original or copy) D. Copy from a prior application (37 CFR 1.63(d)) (for continuation-thirdinal with Box 18 competed) L. DelETION OF InvENTOR(S) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.36(d)) (for continuation-thirdinal with Box 18 competed) L. Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.36(d)) (for continuation-thirdinal with Box 18 competed) L. Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.36(d)) (for continuation-thirdinal with Box 18 competed) L. Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.36(d)) (for continuation-thirdinal with Box 18 competed) L. Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)) (for continuation-thirdinal with Box 18 competed) L. Signed statement attached deleting inventor(s) named in the prior application (37 CFR 1.63(d)) (for continuation-thirdinal with Box 18 competed on the substance of the prior application (37 CFR 1.76) Box Patent Application Commissioner for Patents Washington, D.C. 20231 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in Application (13 Continuation—in-part (CIP) of prior application, from which an eath or declaration is supplied under St. S. is considered a part of the disclosure of the scoremanying continuing or divisional application, from which an eath or declaration is supplied under St. S. is considered a part of the disclosure of	APPL	ICATION ELEMENTS		ACCOMPANY	ING APPLIC	CATIO	N PARTS
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B Cross Reference(s) to Related Case(s) Statement Regarding Fed sponsored R & D Background of the Invention Brief Summary of the Invention Claim or Claims Abstract of the Discissure Abstract of the Discissure Abstract of the Discissure A Drawing(s) (35 U.S.C. Total Sheets 6 113) Coath or Dectaration A Drawing(s) (35 U.S.C. Total Pages 1 1 17.	3. X Specification	on Total Pages 24	7	9. Power of Att	orney or Author	ization o	of Agent
■ Statement Regarding Fed sponsored R & D ■ Background of the Invention ■ Brief Summary of the Invention ■ Brief Summary of the Invention ■ Claim or Claims ■ Abstract of the Disclosure ■ Claim or Declaration ■ New Declaration ■ Executed (original or copy) b. □ Copy from a prior application (37 CFR 1.63(d)) (for continuation-thivisional with Box 18 completed) i. □ DELETION OF INVENTOR(s) Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.83(g/2) and 1.33(s). 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in Application Information: Examiner: For CONTINUATION OF INVENTOR Inventor Inventor Inventor Inventor Information: Examiner: For CONTINUATION OF INVENTOR Inventor Inventor Inventor Inventor Information: Examiner: For CONTINUATION OF INVENTOR Inventor Information: Examiner: Solution of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been independently emitted from the subminder application parts. 19. CORRESPONDENCE ADDRESS Name (Print/Type) John T. McNejš	Descriptive	Title of the Invention	1	0. 37 CFR 3.73	(b) Statement		
Background of the Invention Brief Summary of the Invention Brief Description of the Drawing(s) Detailed Description Claim or Claims Abstract of the Disclosure 4. ○ Drawing(s) (35 U.S.C. Total Sheets 6 113) 5. Oath or Declaration a. ○ New Declaration Total Pages 1 ○ Executed (original or copy) b. ○ Copy from a prior application (37 CFR 1.63(d1)) (for continuation/thivisional with Box 18 completed) i. ○ DELETION OF INVENTOR(S) Signed statement estached deleting inventor(s) named in the prior application. see 37 CFR 1.83(d2) and 1.33(b). 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in Application Data Sheet under 37 CFR 1.76: ○ Continuation ○ Divisional ○ Continuation-In-part (CIP) of prior application No: ○ CONTINUING APPLICATION Revenues The entire disclosure of the prior application nation and in declaration is supplied under Sot, is considered a part of the disclosure of the accompanying continuing or divisional application parts. Name (Print/Type) John T. McNejis Registration No. (Altomey/Agent) 37,186		• •	1	1. Preliminary A	mendment		
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Box Patent Application Commissioner for Patents Washington, D.C. 20231 18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in Application Data Sheet under 37 CFR 1.78: Continuation Divisional Continuation-In-part (CIP) of prior application No: Prior application information: Examiner: For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS Name (Print/Type) John T. McNeks Registration No. (Attorney/Agent) 37,186	(for continual i. DEL Signe	tion/divisional with Box 18 completed) ETION OF INVENTOR(S) ad statement attached deleting inventor(s) ad in the prior application, see 37 CFR					
18. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment or in Application Data Sheet under 37 CFR 1.76: Continuation Divisional Continuation-in-part (CIP) of prior application No: Prior application information: Examiner: Group/Art Unit: For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently ornitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS Customer Number and Bar Code Label Customer Number and Bar Code	6. Application	Data Sheet. See 37 CFR 1.76		ADDRES	S TO:		
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For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuing or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts. 19. CORRESPONDENCE ADDRESS Customer Number and Bar Code Label O0758 Registration No. (Attorney/Agent) 37,186			-part (CII	P) of prior applicati	on No:/		
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Customer Number and Bar Code Label O0758 Name (Print/Type) John T. McNelis / Registration No. (Attomey/Agent) 37,186	Box 5b, is considered a	part of the disclosure of the accompanying con e relied upon when a portion has been inadve	ntinuing or rtently omi	divisional application ar tted from the submitted	d is hereby incom	declaration porated by	n is supplied unde y reference. The
Name (Print/Type) John T. McNelis Registration No. (Attorney/Agent) 37,186		19. CORRESI	PONDE	NCE ADDRESS			
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Signature Date 21 2021	Name (Print/Type)	John T. McNelis ,		Registration No	D. (Attorney/Agent)	37,186
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